

No.

CR 04 20084

JW

HRL

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

HOMAYUN (a/k/a "Tony") AHMAD

FILED  
MAY 19 2004  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

## INDICTMENT

**COUNT ONE:** Title 18, United States Code, Section 2422 (b) - Using a Facility of Interstate Commerce to Knowingly Attempt to Persuade, Induce or Entice a Minor to Engage in Illegal Sexual Activity.

**COUNT TWO:** Title 18, United States Code, Section 2422 (b) - Using a Facility of Interstate Commerce to Knowingly Attempt to Persuade, Induce or Entice a Minor to Engage in Illegal Sexual Activity.

*A true bill.*

*Bruce Talley*

Foreperson

Filed in open court this 19 day of May

NO BAIL ARREST WARRANT

A.D. 2003<sup>4</sup>

5/19/04

Clerk U.S. Magistrate Judge

Bail. \$ \_\_\_\_\_

1 KEVIN V. RYAN (CABN 118321)  
United States Attorney

2 Attorney for Plaintiff

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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.

14 HOMAYUN AHMAD,  
15 a/k/a "Tony Ahmad,"

16 Defendant.

CR No. 04 20084

VIOLATIONS:

18 U.S.C. § 2422(b): Using a Facility of  
Interstate Commerce to Knowingly Attempt  
to Persuade, Induce and Entice a Minor to  
Engage in Illegal Sexual Activity.

SAN JOSE VENUE

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18  
19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 2422(b))

22 Beginning in or about August of 2003 and continuing through September 25, 2003, in the  
23 Northern District of California, the defendant,

24 HOMAYUN AHMAD,  
25 a/k/a "Tony Ahmad,"

26 did use a facility and means of interstate commerce, namely the Internet, to attempt to knowingly  
27 persuade, induce, and entice an individual who had not attained the age of 18 years to engage in

28 //

//

INDICTMENT

FILED

MAY 19 2004

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

JW

HR

1 sexual activity under circumstances as would constitute a criminal offense by a person under  
2 California Penal Code Section 261.5, in violation of Title 18, United States Code, Section  
3 2422(b).

4  
5 COUNT TWO: (18 U.S.C. § 2422(b))

6 Beginning in or about January of 2004 and continuing through March 17, 2004, in the  
7 Northern District of California, the defendant,

8 HOMAYUN AHMAD,  
a/k/a "Tony Ahmad,"

9 did use a facility and means of interstate commerce, namely the Internet, to attempt to knowingly  
10 persuade, induce, and entice an individual who had not attained the age of 18 years to engage in  
11 sexual activity under such circumstances as would constitute a criminal offense by a person  
12 under California Penal Code Section 261.5, in violation of Title 18, United States Code, Section  
13 2422(b).

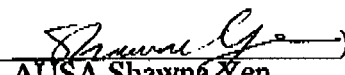
14  
15 DATED: 4-19-04

A TRUE BILL.

16  
17  
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FOREPERSON

19 KEVIN V. RYAN  
20 United States Attorney

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22   
MATTHEW A. PARRELLA  
23 Chief, San Jose Office

24  
25 (Approved as to form: )

26 AUSA Shawn Yen  
27  
28

INDICTMENT

# DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

## OFFENSE CHARGED

18 U.S.C. Section 2422(b)- Using a Facility of Interstate Commerce to Knowingly Attempt to Persuade, Induce or Entice a Minor to Engage in Illegal Sexual Activity

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

## PENALTY:

5 year mandatory minimum-30 years Maximum

\$250,000 fine  
 3 years supervised release  
 \$100 special assessment

CR

DEFENDANT - U.S.

HOMAYUN (a/k/a "Tony") AR

DISTRICT COURT NUMBER

04 20084

DEFENDANT

JW

## IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges **HRL**
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State  
 If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

**PROCEEDING**  
 Name of Complainant Agency, or Person (& Title, if any)

S/A Stacy Mltry-F.B.I.

☒ person is awaiting trial in another Federal or State Court, give name of court

Santa Cruz Superior Court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person  
 Furnishing Information on  
 THIS FORM

KEVIN V. RYAN

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
 (if assigned)

SHAWNA YEN

## ADDITIONAL INFORMATION OR COMMENTS

### PROCESS:

☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

AO 442 (Rev. 5/93) Warrant for Arrest

# United States District Court

## Northern District of California

UNITED STATES OF AMERICA,

V.

RECEIVED  
UNITED STATES WARRANT FOR ARREST

**HOMAYUN AHMAD**

Aka "Tony Ahmad"

'04 MAY 20 18:45

Case Number: **CR-02-20084-JW (HRL)**NORTHERN DISTRICT  
OF CALIFORNIA

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Homayun Ahmad Aka "Tony Ahmad"

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

(X) Indictment    () Information    () Complaint  
() Order of Court    () Violation Notice    () Probation Violation Petition

charging him or her with

Using a Facility of Interstate Commerce to Knowingly Attempt to  
Persuade, Induce and Entice a Minor to Engage in Illegal Sexual Activity

in violation of Title 18 United States Code, Section(s) 2422(b)Cita Escolano

Name of Issuing Officer

Deputy Clerk

Title of Issuing Officer

Cita Escolano

Signature of Issuing Officer

5/20/04, San Jose, CA

Date and Location

Bail fixed at \$ NO BAIL

by Richard Seeborg  
Name of Judicial Officer

ORIGINAL WARRANT HELD BY  
U.S. MARSHALS, SAN JOSE  
NOTIFY ABOVE OFFICE UPON ARREST  
DO NOT MAKE RETURN ON THIS COPY

### RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

Date received	Name and Title of Arresting Officer	Signature of Arresting Officer
Date of Arrest		